

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

A &amp; V MINIMARKET, INC., ET AL

State of New York, County of Suffolk

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS  
FILE #  
INDEX # 07- CIV 8359  
DATE INDEX # PURCHASED:  
DATE AFFIDAVIT FILED:

## AFFIDAVIT OF SERVICE

COPY

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 10:50 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LA FAVORITA DELI GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LA FAVORITA DELI GROCERY, therein named. Said service was effected at 3515 ROCHAMBEAU AVENUE, BRONX, NY 10459, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to VICENTE URENA personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

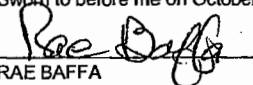
Sex: **Male** Skin: **Brown** Hair: **Grey** Age(Approx): **45** Height(Approx): **5' 4"** Weight(Approx): **130-140 lbs**  
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

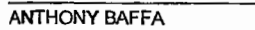


BETHEL DEBNAM, —License No: 1128147—

Sworn to before me on October 2, 2007

  
RAE BAFFA  
Notary Public, State of New York  
No. 4920453  
Qualified in Suffolk County  
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

  
ANTHONY BAFFA  
Notary Public, State of New York  
No. 4974975  
Qualified in Suffolk County  
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.  
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

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## AFFIDAVIT OF SERVICE

COPY

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

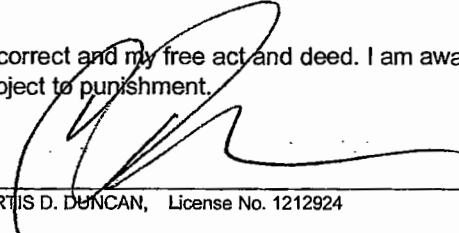
That on October 11, 2007 at 8:56 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LaFAVORITA DELI GROCERY CORP. A NEW YORK CORPORATION DOING BUSINESS AS ~~LaFAVORITA DELI GROCERY~~, therein named. Said service was effected at C/O ABS & CO., 1866 WOOD AVENUE, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to JOSE MARTINEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

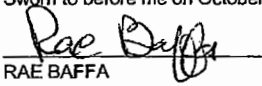
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **White** Hair: **Grey** Age(Approx): **65** Height(Approx): **5' 2"** Weight(Approx): **140-150 lbs**  
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007

  
RAE BAFFA  
Notary Public, State of New York  
No. 4920453  
Qualified in Suffolk County  
Commission Expires July 5, 2010

Sworn before me on October 11, 2007

  
ANTHONY BAFFA  
Notary Public, State of New York  
No. 4974975  
Qualified in Suffolk County  
Commission Expires November 26, 2010

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